



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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August 22, 1995

AGENDA ITEM  
AUG 23 1995

For Meeting of: \_\_\_\_\_

**MEMORANDUM**

TO: The Commission

FROM: Scott E. Thomas  
Commissioner

SUBJECT: Amendments to Draft AO 1995-25 (Agenda Doc. #95-93)

I suggest the following amendments:

1. On page 3, lines 6 and 7, delete "or any candidate". Because the ad in question does in fact make reference to a candidate, we should not state otherwise.
2. On page 5, lines 8-13, I would revise the first two sentences as follows:

After reviewing the additional material you have provided, the Commission concludes that legislative advocacy media advertisements that focus on national legislative activity and promote the Republican Party should be considered as made in connection with both Federal and non-federal elections, unless the ads would qualify as coordinated expenditures on behalf of any general election candidates of the Party under 2 U.S.C. 2441a(d). See Advisory Opinions 1991-33, 1985-14, and 1984-15. Thus, such costs should be allocated in accordance with 11 CFR 106.5.

Because the RNC did not give us a specific proposal, we need to avoid an answer that suggests that anything it does will require allocation and will not qualify for what we believe is a coordinated expenditure. We should issue a general statement that preserves our ability to address concrete situations on a case-by-case basis.